



THE CITY OF NEW YORK  
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January 10, 2014

**BY ECF**

Honorable Katherine B. Forrest  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 730  
New York, NY 10007

Re: **Simpson v. City of New York et. al., 12-CV-6577 (KBF)**

Dear Judge Forrest,

I am an Assistant Corporation Counsel assigned to the defense of the above-referenced matter. I write with regard to plaintiff's motion for reconsideration of the Court's decision granting summary judgment. In particular, defendant notes that plaintiff's motion is untimely. Pursuant to Local Rule 6.3, plaintiff was to file a motion for reconsideration within fourteen days of the decision granting summary judgment in favor of defendants or in the alternative, the entry of judgment. The decision and order granting summary judgment was issued on December 9, 2013. (See Docket Entry No. 48). Judgment was entered on December 10, 2013. (See Docket Entry No. 49). Plaintiff properly filed her motion for reconsideration on January 7, 2014. (See Docket Entry Nos. 54-56). Thus, at least twenty-eight days passed before plaintiff made this application.

Defendants respectfully request that plaintiff's motion should be denied as untimely. If the Court is willing to address the merits of plaintiff's application, defendants will submit a formal response, which under the Local Rules of the Southern District of New York, is due Tuesday, January 21, 2014. Defendants' thank the Court for its consideration.

Respectfully submitted,

/s/

Joshua J. Lax  
Assistant Corporation Counsel

CC: **By ECF**  
Steven H. Goldman, Esq.